PTO DEPOSIT ACCOUNT CHARGE

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EV337286769US

Deasited on:

October 29, 2003

(to be used for all correspondence after initial filing)

ACCOUNT#04-1700 PTO/SB/21 (08-00)

DUNLAPU Sipatentiand Traganarktorice: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

10/046,323 **Application Number** 01/14/2002 **Filing Date** Martin A. Cotton **First Named Inventor** Group Art Unit 2827 J. Norris **Examiner Name** 8245.035 Attorney Docket Number

October 29, 2003

10-29-2003

Date

Total Number of Pages in This Submission			Attorney Docket Number	er 8245.035					
ENCLOSURES (check all that apply)									
	X Fee Transmittal Form		nent Papers Application) g(s)	After Allowance Communication to Group Appeal Communication to Board					
Amendment / Reply	J		ng-related Papers	of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)					
After Final Affidavits/de	claration(s)	Provision Power of	to Convert to a onal Application of Attorney, Revocation	Proprietary Inform					
Express Abandonm	·	Address	al Disclaimer	X Other Enclosure(identify below): See remarks below					
Information Disclosure Statement			mber of CD(s)		<u>-</u>				
Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53		Remarks 1. Petition to the Co 2. Transmittal Form 3. Fee Transmittal (4. Postcard.	KECEIVE NOV -3 20						
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT									
Firm or Individual name	DUNLAP, CODDING & ROGERS, P.C., Customer Number 30589 P. O. Box 16370, Oklahoma City, Oklahoma 73113, Marc A. Brockhaus								
Signature	mare	Brow	bhaus						
Date									
CERTIFICATE OF MAILING									

Mail Stop Petitions SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

in an envelope addressed to the address below on this date:

Marc A. Brockhaus, Reg. No. 40,923

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail or U.S. Express

mail no. EV337286769US

Signature

Typed or printed name

APPROVED

Express Mail No.: Date Deposited: • EV33786769US 10/29/2003

PTO DEPOSIT ACCOUNT CHARGE

ACCOUNT#04-1Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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SUBMITTED BY (Complete (if applicable)													
Name (Print/Type) Marc A. Brockhaus Registration No. (40,923 Telephone (405) 607-8600													
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(405) 607-8600 10/29/2003 Date

Signature



Express Mail No.: Date Mailed:

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Martin A. Cotton) Atty. Dkt. No. 2654-015	
Serial No.:	10/046,323) Examiner: J. Norris	
Filed:	January 14, 2002) Art Unit No. 2827	
For:	EMBEDDED WAVEGUIDE AND EMBEDDED ELECTROMAGNETIC SHIELDING) Confirmation No. 2812)))	RECEIV NOV -3
	fice of Petitions er for Patents D. C. 20231		VEU 3 2003 CENTER 2800

PETITION TO THE COMMISSIONER UNDER 37 C.F.R. 1.181

Applicant hereby petitions the Commissioner of Patent and Trademarks under 37 C.F.R. 1.181(a)(2) in the above-identified application whereby the statute or the rules specify that the matter is to be determined directly by or reviewed by the Commissioner. A Notice of Abandonment for the above-identified application was mailed on October 10, 2003. Applicant respectfully contends that the application is not in fact abandoned and respectfully requests withdrawal of the holding of abandonment.

STATEMENT OF FACTS

The above-identified application was filed on January 14, 2002, and was recently transferred to our law firm from Kevin L. Pontius of Roberts, Abokhair & Mardula, LLC. The Examiner called Mr. Pontius to inquire as to whether Applicant intended to abandon the application; however, Mr. Pontius directed the Examiner to myself. I did not receive a phone call from the Examiner regarding any matter relating to this application. Enclosed herewith is a copy of the letter received from Mr. Pontius regarding his conversation with the Examiner.

Our law firm received a Notice of Abandonment mailed October 10, 2003. In response to the Office Action mailed March 17, 2003, a timely response was filed on September 17, 2003, along with a Petition for Extension of Three months of time under 37 C.F.R 1.136(a). A copy of the post card is attached for your convenience. Also enclosed herewith is a copy of the Notice of Abandonment. Accordingly, Applicant respectfully

submits that a timely reply was filed on September 17, 2003; therefore, the above-identified application is not abandoned.

SUMMARY

In view of the above, Applicant respectfully requests withdrawal of the holding of abandonment.

Respectfully submitted,

Marc A. Brockhaus, Reg No. 40,923 DUNLAP, CODDING & ROGERS, P.C. 1601 NW Expressway, Suite 1000

Oklahoma City, Oklahoma 73118-1467 Telephone No. (405) 607-8600

Fax No. (405) 607-8686

Attorney for Applicant



October 16, 2003

VIA FEDERAL EXPRESS COURIER

G. Neal Rogers, Esq.
Managing Director
Dunlap Codding & Rogers, P.C.
1601 NW Expressway, Suite 1000
Oklahoma City, OK 73118

RE: Notice of Abandonment

Title: Embedded Waveguide and Embedded Electromagnetic Shielding

PTO appln. no.: 10/046,323

Dear Mr. Rogers:

We received a Notice of Abandonment from the U.S. Patent and Trademark Office (PTO) in connection with the above-referenced application of VIASYSTEMS GROUP, INC. The original document is enclosed herewith. Please note that we are not retaining any copies of this communication. We will not docket any due dates, which may be associated with this matter.

In the Notice of Abandonment the Examiner implies that I confirmed in a telephone conference that the application was to be abandoned. The Examiner did call me to inquire about whether Applicant intended to abandon the application, but since I had no information to give him I referred him to Marc Brockhaus of your firm. I called Mr. Brockhaus yesterday to check on this suspicious Notice of Abandonment and he indicated that indeed a reply to the Office Action was timely filed. Thus, a petition for withdrawal of the holding of abandonment appears to be needed.

Should you have any questions please do not hesitate to contact me.

Very truly yours,

ROBERTS ABOKHAIR & MARDULA, LLC

Kevin L. Pontius

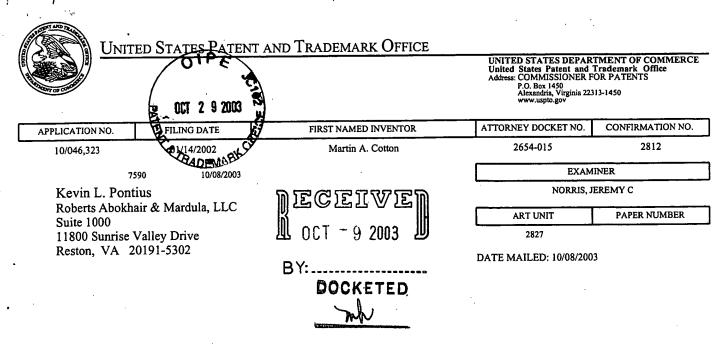
KLP/nvh Enclosure

cc: Daniel J. Weber

NOV -3 2003

DUNLAP, CODDING & ROGERS, P.C.

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Please find below and/or attached an Office communication concerning this application or proceeding.

DUNLAP, CODDING & ROGERS, P.C.

OCT 17 2003

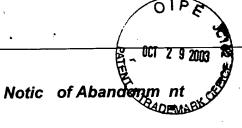
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Applicati n No.

Applicant(s)

10/046,323

COTTON, MARTIN A.

Examin r

Art Unit

Jeremy C. Norris

2827

Jeremy C. Norris -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--This application is abandoned in view of: 1. Applicant's failure to timely file a proper reply to the Office letter mailed on 17 March 2003. (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on ____ (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114). but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-(c) A reply was received on _ final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below). (d) No reply has been received. 2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (b) The submitted fee of \$____ is insufficient. A balance of \$___ is due. The issue fee required by 37 CFR 1.18 is \$____. The publication fee, if required by 37 CFR 1.18(d), is \$___. (c) The issue fee and publication fee, if applicable, has not been received. 3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is

4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7.

The reason(s) below:

after the expiration of the period for reply.

(b) No corrected drawings have been received.

A call was placed to the office of Mr. Kevin Pontius to confirm that the application had indeed been abantiended

EVAN PERT
PRIMARY EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

PATENT

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MAIL STOP FEE AMENDMENT COMMISSIONER FOR PATENTS ALEXANDRIA, VA 22313-1450 P.O. Box 1450

Serial No.: Applicant:

Filed:

Martin A. Cotton (10046,323 Art Unit No.: 2827 Art

Express Mail No. EV318424825US; Customer No. 30589

Please acknowledge receipt of the following by stamping this card with the date received and returning: 1. Response (13 pages); 2. Three (3) month Petition for Extension of time under 37 CFR 1.136(a) (1 page);

Transmittal Form (1 page);
 Fee Transmittal (1 page); and
 Postcard.

PTO has withdrawal authorization from Deposit Account in the total amount of \$930.00: (1) Petition for Extension of Three months of time: \$930.00

Marc A. Brockhaus, Reg. No. 40,923 September 17, 2003 M:\GENERAL\8245 Viasystems\8245.035\8245.035-Postcard Response.wpd

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